

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SKANGA ENERGY & MARINE LIMITED,

Plaintiff,

v.

AREVENCA S.A., PETRÓLEOS DE
VENEZUELA S.A., and JAVIER GONZALEZ
ALVAREZ,

Defendants.

Case 1:11-cv-04296-DLC-DLF

AFFIDAVIT OF LAWRENCE H. MARTIN

I, Lawrence H. Martin, hereby depose and swear as follows:

1. I am a partner in the law firm of Foley Hoag LLP, counsel of record for Defendant Petróleos de Venezuela, S.A. ("PDVSA") in the above-captioned matter. I base this affidavit on my personal knowledge and my review of timekeeping records maintained by my firm.

2. In connection with PDVSA's March 12, 2014 letter-motion for costs, including attorneys' fees, from plaintiff Skanga Energy & Marine Limited ("Skanga"), I have reviewed timekeeping records maintained by my firm to determine the amount of fees incurred in connection with opposing Skanga's February 4, 2014 Motion for Protective Order.

3. For purposes of calculating the relevant fees, I have included time charges that fall into the following categories: (a) time spent researching Skanga's attorney-client/work-product privilege claims after counsel for Skanga first threatened on February 3, 2014 to "seek court intervention" if PDVSA did not voluntarily withdraw the notice of deposition for Mr. Adebayo Osho; (b) time spent reviewing Skanga's Motion for Protective Order; (c) time spent

researching, drafting and editing PDVSA's Opposition to Skanga's motion; (d) time spent preparing and filing PDVSA's Opposition; and (e) time spent preparing PDVSA's letter-motion for fees and related documents.

4. I have more than 16 years of experience practicing law. In preparing PDVSA's Opposition to Skanga's Motion for Protective Order, I was assisted by: Nicholas Renzler, a second-year associate at Foley Hoag; and Benjamin Guthrie, a first-year associate at Foley Hoag.

5. Based on my review, my firm will bill PDVSA more than \$10,000 in fees related to opposing Skanga's Motion for Protective Order (although PDVSA is requesting an award of the lesser amount set forth below). Below is a summary of the individual attorney rates and hours expended for which PDVSA seeks compensation:

<u>Timekeeper</u>	<u>Rate</u>	<u>Hours</u>	<u>Total</u>
Lawrence H. Martin, partner	\$645	2.5	\$1,612.50
Nicholas M. Renzler, associate	\$380	9.6	\$3,648
Benjamin K. Guthrie, associate	\$350	9.3	<u>\$3,255</u>
			\$8,515.50

6. Copies of the relevant computer-generated time records are attached as Exhibit A.

7. The records have been redacted to delete information subject to the attorney-client privilege. The bills have also been redacted to delete information not related to tasks associated with opposing Skanga's motion.

8. Where a timekeeping entry contains both compensable and non-compensable activities, I have made a good faith effort in consultation with Mr. Renzler and Mr. Guthrie to determine the amount of time billed for non-compensable activities. Such time is *not* included in the figures stated in paragraph 5 above.

9. The hours and fees listed above understate the time spent opposing Plaintiff's motion and preparing this request for fees. First, I have reduced Mr. Guthrie's hours by half to take account of his relative juniority. Second, I have not included any time spent this week finalizing PDVSA's letter motion for fees.

10. To my knowledge and understanding, the hourly rates this firm charges are consistent with other large firms in major U.S. cities. Attached hereto as Exhibit B is a copy of the NATIONAL LAW JOURNAL's "2013 NLJ Billing Survey" reflecting this fact.

Sworn to on this 12th day of March, 2014 under the pains and penalties of perjury.

LH Martin

Lawrence H. Martin

District of Columbia: SS

Subscribed and sworn to before me, in my presence,

this 12th day of March, 2014

by *Katherin M. Schmidt*, Notary Public

My Commission Expires Oct 31, 2018

KATHERIN M. SCHMIDT
Notary Public of District of Columbia
My Commission Expires October 31, 2018

